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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,224	12/05/2001	Takuya Kotani	35.G2954	4170

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EXAMINER

EHICHIOYA, FRED I

ART UNIT PAPER NUMBER

2162

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/002,224

Applicant(s)

KOTANI, TAKUYA

Examiner

Fred I. Ehichioya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 5, 7 - 17, and 19 - 25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 5, 7 - 17, and 19 - 25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1 – 5, 7 – 17 and 19 - 25 are pending.
2. Claims 6 and 18 are canceled, and their recitations incorporated into claims 1 and 13, respectively (those of claim 18 have also been incorporated into claim 25).
3. Various original recitations have been deleted from the respect amended independent claims.
4. Claims 6 and 18 are rewritten in independent form but do not include the limitation of base claims; therefore, objection to claims 6, 18 and their dependent claims are hereby withdrawn.
5. Claims 1 – 5, 7 – 17 and 19 – 25 are rejected.
6. No new references are introduced for the unamended claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. Claims 1, 2, 5, 7 - 14, 17, 19 - 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,909 issued Toshiyuki Yuasa et al (hereinafter "Yuasa") in view of U. S. Patent 5,175,850 issued to Keiichi Hirata et al (Hereinafter "Hirata") and further in view of U.S. Patent 6,748,383 issues to Wade at al (Hereinafter "Wade").

Regarding claims 1, 13 and 25, Yuasa teaches a data search apparatus for conducting:

meta-data display means for displaying the meta-data contained in the data selected from the list (see column 4, lines 30 – 37);

setting means for setting the search condition from the meta-data displayed by said meta-data display means (see fig. 2, steps 2020, 2030, 2040 and column 10, lines 42 – 56);

execution means for conducting a search of the data registered in said database based on the search condition set by said setting means (see column 4, lines 20 – 29).

Yuasa does not explicitly disclose list display means and deleting information which does not actually exist in the database as claimed.

Hirata teaches list display means for selecting a predetermined number of data from the data registered in the database (see column 4, lines 1 – 2), and for displaying a list of information corresponding to the selected data (see column 1, lines 65 – 66); and

Wade teaches matching means for prohibiting said list display means from displaying information corresponding to data which does not actually exist in said database, and deletes the registration of said data from said list display means (see column 14, line 50 – column 15, line 4).

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Hirata's teaching of "list display means for selecting a predetermined number of data from the data registered in the database, and for displaying a list of information

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corresponding to the selected data” would have allowed Yuasa’s system an improved data processing device capable of making registration operations easy as suggested by Hirata at column 1, lines 50 - 53.

Further, “matching means for prohibiting said list display means from displaying information corresponding to data which does not actually exist in said database, and deletes the registration of said data from said list display means” as thought by Wade improves Yuasa and Hirata’s system by providing a method for displaying geographic information and a storage medium for storing program for executing the same which can increase the utilization factor of the database, see “Wade” column 2, lines 21 – 24.

Regarding claims 2 and 14, Yuasa teaches wherein the meta-data is described in a data description language (see column 4, lines 26 – 29).

Regarding claims 5 and 17, Yuasa teaches wherein the binary data is one of still image data, moving picture data, and audio data (see column 3, lines 20 - 21).

Regarding claims 7 and 19, Yuasa teaches wherein said list display means displays a list of a search result obtained by the search by said execution means (see column 9, lines 50 – 55).

Regarding claims 8 and 20, Yuasa teaches wherein said list display means displays a list of thumbnails corresponding to the data to be searched (see column 7, lines 35 – 40).

Regarding claims 9 and 21, Yuasa teaches wherein said list display means displays a list of file names corresponding to the data to be searched (see column 10, lines 25 – 29).

Regarding claims 10 and 22, Yuasa teaches wherein said setting means sets the search condition by directly inputting a keyword (see column 9, lines 22 – 26).

Regarding claims 11 and 23, Yuasa, Hirata and Wade teach wherein said search means also conducts a search of data which is stored in a predetermined logical area (see Yuasa: column 4, lines 20 – 29) and which is not registered in said database (see Wade: column 14, lines 45 – 48), and said matching means additionally registers the data in said database (see Hirata: column 4, lines 1 – 2).

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Hirata's teaching of "list display means for selecting a predetermined number of data from the data registered in the database, and for displaying a list of information corresponding to the selected data" would have allowed Yuasa's system an improved

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data processing device capable of making registration operations easy as suggested by Hirata at column 1, lines 50 - 53.

Further, "matching means for prohibiting said list display means from displaying information corresponding to data which does not actually exist in said database, and deletes the registration of said data from said list display means" as thought by Wade improves Yuasa and Hirata's system by providing a method for displaying geographic information and a storage medium for storing program for executing the same which can increase the utilization factor of the database, see "Wade" column 2, lines 21 - 24.

Regarding claims 12 and 24, Yuasa teaches wherein the additional registration of the data by said matching means is performed based on the meta-data attached to the data (see column 10, lines 24 - 29).

9. Claims 3, 4, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa, Hirata, Wade and further in view of U.S. Patent 6,209,124 issued Dean R. Vermeire et al (hereinafter "Vermeire").

Regarding claims 3 and 15, Yuasa, Hirata or Wade does not explicitly teach XML, SGML, or HTML as claimed.

Vermeire teaches wherein the data description language is one of XML, SGML, and HTML (see column 8, lines 52 - 62).

It would have been obvious to one of ordinary skill in the data processing art at

the time of the present invention to combine teaching of the cited references because Vermeire's teaching of "wherein the data description language is one of XML, SGML, and HTML" would have allowed Yuasa, Hirata and Wade's system to blend information about host computer software application structures, called metadata, with either the XML representation or the binary data values to generate binary data for use with a host system. This then allows the function to restructure in-memory binary data streams received from the host into XML documents and to restructure XML documents into binary data streams capable of acting with the host machine as suggested by Vermeire (see Summary).

Regarding claims 4 and 16, Vermeire teaches wherein the meta-data is attached after the binary data (see column 9, line 64 – column 10, line 29).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred I. Ehichioya
Patent Examiner
Art Unit 2162

May 13, 2005


SHAHID ALAM
PRIMARY EXAMINER